$Ltd., (U.S.Branch), \, \dots$

Company Tracking Number: 2008-02-0114

TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0001 Commercial General Liability

Product Name: GL Fungi or Bacteria and Funeral Directors & Morticians Form Filing

Project Name/Number: GL Fungi or Bacteria and Funeral Directors & Morticians Form Filing/2008-02-0114

Filing at a Glance

Companies: NIPPONKOA Insurance Company Ltd., (U.S.Branch), The Charter Oak Fire Insurance Company, The Phoenix Insurance Company, The Travelers Indemnity Company, The Travelers Indemnity Company of America, The

Travelers Indemnity Company Of Connecticut, Travelers Property Casualty Company of America
Product Name: GL Fungi or Bacteria and SERFF Tr Num: TRVD-125519186 State: Arkansas

Funeral Directors & Morticians Form Filing

TOI: 17.0 Other Liability - Claims SERFF Status: Closed State Tr Num: EFT \$50

Made/Occurrence

Sub-TOI: 17.0001 Commercial General Liability Co Tr Num: 2008-02-0114 State Status: Fees verified and

received

Filing Type: Form Co Status: Reviewer(s): Betty Montesi, Edith

Roberts, Brittany Yielding

Disposition Date: 03/12/2008

Authors: Margaret Salsbury, Tia

Slivinsky

Date Submitted: 03/10/2008 Disposition Status: Approved

Effective Date Requested (New): 06/01/2008 Effective Date (New):

Effective Date Requested (Renewal): 06/01/2008 Effective Date (Renewal):

State Filing Description:

General Information

Project Name: GL Fungi or Bacteria and Funeral Directors & Morticians Status of Filing in Domicile: Authorized

Form Filing

Project Number: 2008-02-0114 Domicile Status Comments: Authorized in CT,

Pending in NY

Reference Organization: N/A Reference Number: N/A Advisory Org. Circular: N/A

Filing Status Changed: 03/12/2008

State Status Changed: 03/12/2008 Deemer Date:

Corresponding Filing Tracking Number: N/A

 $Ltd.,(U.S.Branch), \dots$

Company Tracking Number: 2008-02-0114

TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0001 Commercial General Liability

Product Name: GL Fungi or Bacteria and Funeral Directors & Morticians Form Filing

Project Name/Number: GL Fungi or Bacteria and Funeral Directors & Morticians Form Filing/2008-02-0114

Filing Description:

In compliance with the insurance laws and regulations in your state, our companies respectfully submit the attached Commercial General Liability form filing for your review and consideration.

With this filing, we are introducing one new optional Fungi or Bacteria Exclusion Form and revising one optional Funeral Directors and Morticians Endorsement for use with our General Liability product. For a detailed explanation of our forms please refer to the enclosed forms transmittal supplement.

Your approval of this filing will be appreciated. Should you have any questions regarding this submission, please feel free to contact me at your convenience.

Company and Contact

Filing Contact Information

Margaret Salsbury, Senior Regulatory Analyst MSALSBUR@travelers.com
One Tower Square (860) 277-6470 [Phone]
Hartford, CT 06183 (860) 954-0580[FAX]

Filing Company Information

NIPPONKOA Insurance Company CoCode: 27073 State of Domicile: New York

Ltd.,(U.S.Branch)

One Tower Square Group Code: 2558 Company Type: Hartford, CT 06183 Group Name: State ID Number:

(860) 277-6470 ext. [Phone] FEIN Number: 98-0032627

The Charter Oak Fire Insurance Company CoCode: 25615 State of Domicile: Connecticut

One Tower Square Group Code: 3548 Company Type: Hartford, CT 06183 Group Name: State ID Number:

(860) 277-6470 ext. [Phone] FEIN Number: 06-0291290

The Phoenix Insurance Company CoCode: 25623 State of Domicile: Connecticut

One Tower Square Group Code: 3548 Company Type: Hartford, CT 06183 Group Name: State ID Number:

(860) 277-6470 ext. [Phone] FEIN Number: 06-0303275

 $Ltd., (U.S.Branch), \dots$

Company Tracking Number: 2008-02-0114

TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0001 Commercial General Liability

Product Name: GL Fungi or Bacteria and Funeral Directors & Morticians Form Filing

Project Name/Number: GL Fungi or Bacteria and Funeral Directors & Morticians Form Filing/2008-02-0114

The Travelers Indemnity Company CoCode: 25658 State of Domicile: Connecticut

One Tower Square Group Code: 3548 Company Type: Hartford, CT 06183 Group Name: State ID Number:

(860) 277-6470 ext. [Phone] FEIN Number: 06-0566050

The Travelers Indemnity Company of America CoCode: 25666 State of Domicile: Connecticut

One Tower Square Group Code: 3548 Company Type: Hartford, CT 01683 Group Name: State ID Number:

(860) 277-6470 ext. [Phone] FEIN Number: 58-6020487

The Travelers Indemnity Company Of CoCode: 25682 State of Domicile: Connecticut

Connecticut

One Tower Square Group Code: 3548 Company Type: Hartford, CT 06183 Group Name: State ID Number:

(860) 277-6470 ext. [Phone] FEIN Number: 06-0336212

Travelers Property Casualty Company of CoCode: 25674 State of Domicile: Connecticut

America

One Tower Square Group Code: 3548 Company Type: Hartford, CT 06183 Group Name: State ID Number:

(860) 277-6470 ext. [Phone] FEIN Number: 36-2719165

 $Ltd., (U.S.Branch), \dots$

Company Tracking Number: 2008-02-0114

TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0001 Commercial General Liability

Product Name: GL Fungi or Bacteria and Funeral Directors & Morticians Form Filing

Project Name/Number: GL Fungi or Bacteria and Funeral Directors & Morticians Form Filing/2008-02-0114

Filing Fees

Fee Required? Yes

Fee Amount: \$50.00 Retaliatory? No

Fee Explanation:

Per Company: No

COMPANY	AMOUNT	DATE PROCESSED	TRANSACTION #
NIPPONKOA Insurance Company	\$0.00	03/10/2008	
Ltd.,(U.S.Branch)			
The Charter Oak Fire Insurance Company	\$0.00	03/10/2008	
The Phoenix Insurance Company	\$0.00	03/10/2008	
The Travelers Indemnity Company	\$50.00	03/10/2008	18470797
The Travelers Indemnity Company of America	\$0.00	03/10/2008	
The Travelers Indemnity Company Of	\$0.00	03/10/2008	
Connecticut			
Travelers Property Casualty Company of	\$0.00	03/10/2008	
America			

 $Ltd., (U.S.Branch), \dots$

Company Tracking Number: 2008-02-0114

TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0001 Commercial General Liability

Product Name: GL Fungi or Bacteria and Funeral Directors & Morticians Form Filing

Project Name/Number: GL Fungi or Bacteria and Funeral Directors & Morticians Form Filing/2008-02-0114

Correspondence Summary

Dispositions

Status	Created By	Created On	Date Submitted
Approved	Edith Roberts	03/12/2008	03/12/2008

 $Ltd., (U.S.Branch), \dots$

Company Tracking Number: 2008-02-0114

TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0001 Commercial General Liability

Product Name: GL Fungi or Bacteria and Funeral Directors & Morticians Form Filing

Project Name/Number: GL Fungi or Bacteria and Funeral Directors & Morticians Form Filing/2008-02-0114

Disposition

Disposition Date: 03/12/2008

Effective Date (New): Effective Date (Renewal):

Status: Approved

Comment:

Rate data does NOT apply to filing.

Overall Rate Information for Multiple Company Filings

Overall Percentage Rate Indicated For This Filing 0.000%

Overall Percentage Rate Impact For This Filing 0.000%

Effect of Rate Filing-Written Premium Change For This Program \$0

Effect of Rate Filing - Number of Policyholders Affected 0

 $Ltd., (U.S.Branch), \dots$

Company Tracking Number: 2008-02-0114

TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0001 Commercial General Liability

Product Name: GL Fungi or Bacteria and Funeral Directors & Morticians Form Filing

Project Name/Number: GL Fungi or Bacteria and Funeral Directors & Morticians Form Filing/2008-02-0114

Item Type Item Name Item Status Public Access Uniform Transmittal Document-Property & Approved Yes **Supporting Document** Casualty Fungi Or Bacteria Exclusion - Limited Approved Yes **Form** Funeral Directors and Morticians Approved Yes **Form**

 $Ltd., (U.S.Branch), \dots$

Company Tracking Number: 2008-02-0114

TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0001 Commercial General Liability

Product Name: GL Fungi or Bacteria and Funeral Directors & Morticians Form Filing

Project Name/Number: GL Fungi or Bacteria and Funeral Directors & Morticians Form Filing/2008-02-0114

Form Schedule

Review	Form Name	Form #	Edition	Form Type Action	Action Specific	Readability	Attachment
Status			Date		Data		
Approved	Fungi Or Bacteria	a CG D4 05	02-2008	Endorseme New		0.00	CG D4 05 02
	Exclusion -	02 08		nt/Amendm			08 - Excl-
	Limited			ent/Conditi			Fungi
				ons			Bacteria-Ltd-
							TR.pdf
							CG D4 05 02
							08 - Fungi
							Bacteria-
							noBI.pdf
Approved	Funeral Directors	CG T3 53	09-2007	Endorseme Replaced	Replaced Form #	[‡] :0.00	CG T3 53 09
	and Morticians	09 07		nt/Amendm	CG T3 53 06 01		07 - Funeral
	Endorsement			ent/Conditi	Previous Filing #		Direc&Mort-
				ons	2001-03-GL-A03		TR.pdf
							CG T3 53 09
							07 - Funeral
							Direc&Mort.p
							df

<u>DEPARTMENT OF INSURANCE</u> <u>PROPERTY-CASUALTY FORMS TRANSMITTAL SUPPLEMENT</u> <u>SHEET FOR MULTIPLE FORM FILING</u>

FORM TITLE	NEW FORM	REPLACED FORM	TYPE OF FORM	DESCRIPTION OF FORM
Fungi Or Bacteria Exclusion - Limited	CG D4 05 02 08	None	E-GL-O	This new form is intended to exclude "property damage", "personal injury" and "advertising injury" for exposures resulting from Fungi or Bacteria. This form is more limited in its application than currently approved form CG D2 43 01 02 in that it does not apply to "bodily injury".

This form may be used on hotels and other accounts with swimming pools, steam rooms, saunas, etc. where claims for fungal or staph infections are not uncommon.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY. FUNGI OR BACTERIA EXCLUSION - LIMITED

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

A. The following exclusion is added to Paragraph 2., Exclusions of Section I – Coverage A – Bodily Injury And Property Damage Liability:

2. Exclusions

This insurance does not apply to:

Fungi or Bacteria

- **a.** "Property damage" which would not have occurred, in whole or in part, but for the actual, alleged or threatened inhalation of, ingestion of, contact with, exposure to, existence of, or presence of, any "fungi" or bacteria on or within a building or structure, including its contents, regardless of whether any other cause, event, material or product contributed concurrently or in any sequence to such damage.
- **b.** Any loss, cost or expenses arising out of the abating, testing for, monitoring, cleaning up, removing, containing, treating, detoxifying, neutralizing, remediating or disposing of, or in any way responding to, or assessing the effects of, "fungi" or bacteria, by any insured or by any other person or entity.
- B. The following exclusion is added to Paragraph 2., Exclusions of Section I Coverage B Personal And Advertising Injury Liability:

2. Exclusions

This insurance does not apply to:

Fungi or Bacteria

- a. "Personal injury" or "advertising injury" which would not have taken place, in whole or in part, but for the actual, alleged or threatened inhalation of, ingestion of, contact with, exposure to, existence of, or presence of any "fungi" or bacteria on or within a building or structure, including its contents, regardless of whether any other cause, event, material or product contributed concurrently or in any sequence to such injury.
- **b.** Any loss, cost or expenses arising out of the abating, testing for, monitoring, cleaning up, removing, containing, treating, detoxifying, neutralizing, remediating or disposing of, or in any way responding to, or assessing the effects of, "fungi" or bacteria, by any insured or by any other person or entity.
- **C.** The following definition is added to the **Definitions** Section:

"Fungi" means any type or form of fungus, including mold or mildew and any mycotoxins, spores, scents or byproducts produced or released by fungi.

<u>DEPARTMENT OF INSURANCE</u> <u>PROPERTY-CASUALTY FORMS TRANSMITTAL SUPPLEMENT</u> <u>SHEET FOR MULTIPLE FORM FILING</u>

FORM TITLE	NEW FORM	REPLACED FORMS	TYPE OF FORM	DESCRIPTION OF FORM
Funeral Directors and Morticians Endorsement	CG T3 53 09 07	CG T3 53 06 01	E-GL-O	We are replacing endorsement CG T3 53 06 01, currently filed in your jurisdiction, with revised endorsement CG T3 53 09 07.
				This form is being revised to clarify that cremators are included within the professional services coverage.
				There is no premium impact.

The side-by-side comparison on the next pages illustrates in detail the changes we have made along with explanations. [Strikeouts indicate deletions; underlining indicates new wording on the 09 07 edition in the left column].

SIDE-BY-SIDE OF REVISED FORM CG T3 53 09 07 TO REPLACED FORM CG T3 53 06 01

New Form CG T3 53 09 07 with Annotated Changes

Form CG T3 53 06 01 being replaced:

Description of Changes

THE ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

FUNERAL DIRECTORS AND MORTICIANS ENDORSEMENT

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

PROVISIONS

 The following is added to paragraph 1.a of Coverage A under COVERAGES (Section I):

"Bodily injury" or "property damage" arising out of the rendering or failure to render professional services as funeral director, ex mortician or cremator shall be deemed to be caused by an "occurrence".

For the purpose of determining the limits for the insurance provided by this endorsement, any act or omission together with all related acts or omissions in the furnishing of these services for any one deceased person will be considered one "occurrence".

- With respect to such professional services exclusions g, h, j, (1)
 (3) (4) (5) & (6), k, and I of Coverage A do not apply to "property damage" to:
 - Deceased human bodies, their clothing, or cremated remains: or
 - **b.** Caskets, urns, vaults or fittings or containers thereof, not in your possession for sales purposes.
- Only with respect to such professional services, the definition of "bodily injury" (DEFINITIONS – Section V) is deleted and replaced by the following:

"Bodily injury" means bodily injury, mental anguish, mental injury, shock, fright, disability, humiliation, sickness or disease sustained by a person, including death from any of these at any time.

THE ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

FUNERAL DIRECTORS AND MORTICIANS ENDORSEMENT

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

PROVISIONS

 The following is added to paragraph 1.a of Coverage A under COVERAGES (Section I):

"Bodily injury" or "property damage" arising out of the rendering or failure to render professional services as funeral director or mortician shall be deemed to be caused by an "occurrence".

For the purpose of determining the limits for the insurance provided by this endorsement, any act or omission together with all related acts or omissions in the furnishing of these services for any one deceased person will be considered one "occurrence".

- 2. With respect to such professional services exclusions g, h, j, (1) (3) (4) (5) & (6), k, and I of Coverage A do not apply to "property damage" to:
 - Deceased human bodies, their clothing, or cremated remains; or
 - b. Caskets, urns, vaults or fittings or containers thereof, not in your possession for sales purposes.
- Only with respect to such professional services, the definition of "bodily injury" (DEFINITIONS – Section V) is deleted and replaced by the following:

"Bodily injury" means bodily injury, mental anguish, mental injury, shock, fright, disability, humiliation, sickness or disease sustained by a person, including death from any of these at any time.

Cremator is added to the professional services coverage grant for this broadening of coverage.

 CG T3 53 09 07
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 Page 1 of 1

 CG T3 53 06 01
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 Page-1 of 1

CG T3 53 06 01

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Page 1 of 1

THE ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

FUNERAL DIRECTORS AND MORTICIANS ENDORSEMENT

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

PROVISIONS

1. The following is added to paragraph 1.a. of Coverage A under COVERAGES (Section I):

"Bodily injury" or "property damage" arising out of the rendering or failure to render professional services as funeral director, mortician or cremator shall be deemed to be caused by an "occurrence".

For the purpose of determining the limits for the insurance provided by this endorsement, any act or omission together with all related acts or omissions in the furnishing of these services for any one deceased person will be considered one "occurrence".

- 2. With respect to such professional services exclusions **g**, **h**, **j**, **(1) (3) (4) (5)** & **(6)**, **k**, and **l** of Coverage **A** do not apply to "property damage" to:
 - a. Deceased human bodies, their clothing, or cremated remains; or
 - b. Caskets, urns, vaults or fittings or containers thereof, not in your possession for sales purposes.
- 3. Only with respect to such professional services, the definition of "bodily injury" (DEFINITIONS Section V) is deleted and replaced by the following:

"Bodily injury" means bodily injury, mental anguish, mental injury, shock, fright, disability, humiliation, sickness or disease sustained by a person, including death from any of these at any time.

 $Ltd., (U.S.Branch), \dots$

Company Tracking Number: 2008-02-0114

TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0001 Commercial General Liability

Product Name: GL Fungi or Bacteria and Funeral Directors & Morticians Form Filing

Project Name/Number: GL Fungi or Bacteria and Funeral Directors & Morticians Form Filing/2008-02-0114

Rate Information

Rate data does NOT apply to filing.

 $Ltd., (U.S.Branch), \dots$

Company Tracking Number: 2008-02-0114

TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0001 Commercial General Liability

Product Name: GL Fungi or Bacteria and Funeral Directors & Morticians Form Filing

Project Name/Number: GL Fungi or Bacteria and Funeral Directors & Morticians Form Filing/2008-02-0114

Supporting Document Schedules

Review Status:

Satisfied -Name: Uniform Transmittal Document- Approved 03/12/2008

Property & Casualty

Comments:

Attachment:

NAIC Transmittal.pdf

Property & Casualty Transmittal Document

1.	Reserved for Insurance	e Dept. Use Only		2. Insura	nc	e Depar	tment	Use o	nly	
	a. Da			a. Date th	a. Date the filing is received:					
				b. Analys	st:					
				c. Dispos						
				d. Date of	f di	sposition	n of the	e filina:		
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						Busines				
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							111699			
			1 1	g. SERFF						
	<u></u>			h. Subjec	t C	odes				
3.	Group Name									NAIC #
	The Travelers Companie								3548	
	NIPPONKOA Insurance (Company, Ltd.							2558	
4.	Company Name(s)				Do	micile	NAIC	# FEI	N #	State #
	The Travelers Indemnity	Company			СТ	-	25658	06-0	0566050	
	The Charter Oak Fire Ins				СТ	-	25615	06-0	291290	
	The Travelers Indemnity	Company of Connecticut	t		СТ	-	25682	06-0	336212	
	The Travelers Indemnity	Company of America			СТ	-	25666	58-6	6020487	
	The Phoenix Insurance C	<u> </u>			СТ		25623		303275	
	Travelers Property Casua		ì		СТ		25674		2719165	
	NIPPONKOA Insurance	Company, Ltd.			NΥ	<u> </u>	27073	98-0	0032627	
5.	Company Tracking N	umber	20	08-02-011	4					
Co	ontact Info of Filer(s) o	or Corporate Officer(s	:)	include toll	-fr	e numh	erl			
6.	Name and address	Title		elephone #		FAX			e-ma	i
	Margaret M. Salsbury	Senior Regulatory Analyst	_	•		(860) 954		1SALSB	UR@Trav	elers.com
	Travelers One Tower Square			,		,				
	Hartford, CT 06183									
7	Ciana atuma af authania a	l <i>t</i> :1								
7.	Signature of authorized	ıııer	Margaret M. Salsbury							
8.	Please print name of a	uthorized filer	Margaret M. Salsbury							
Fil	ing information (see	General Instructions fo	r d	escriptions	of	these fie	elds)			
	Type of Insurance (T		_	7.0						
	Sub-Type of Insurance	, ,	17.0001							
11.	•			N/A						
40	applicable)[See State Spec		0	المسمسم	:1:4					
				General Liability Rate/Loss Cost Rules Rates/Rules						
13.	13. Filing Type			Forms						
				Withdraw		_			ription)	
14.	Effective Date(s) Req	uested	Ne	ew: 06/01/2					al: 06/0	1/2008
	Reference Filing?				<u> N</u>					
16.	Reference Organization	on (if applicable)	N/	Ά						
	Reference Organization		N/							
	Company's Date of Fi			3/10/2008						
40	Status of filing in don	مانمند		Not Filed	∇	Donding	, 🖂 л.	ıthariz	$\sim 10^{-1}$	icannravad

Property & Casualty Transmittal Document—

20.	This filing transmittal is p	part of Company Tracking #	! 2	2008-02-0114
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21. Filing Description [This area can be used in lieu of a cover letter or filing memorandum and is free-form text]

In compliance with the insurance laws and regulations in your state, our companies respectfully submit the attached Commercial General Liability form filing for your review and consideration.

With this filing, we are introducing one new optional Fungi or Bacteria Exclusion Form and revising one optional Funeral Directors and Morticians Endorsement for use with our General Liability product. For a detailed explanation of our forms please refer to the enclosed forms transmittal supplement.

Your approval of this filing will be appreciated. Should you have any questions regarding this submission, please feel free to contact me at your convenience.

22. Filing Fees (Filer must provide check # and fee amount if applicable)
[If a state requires you to show how you calculated your filing fees, place that calculation below]

Check #: N/A - EFT Amount: \$50.00

Refer to each state's checklist for additional state specific requirements or instructions on calculating fees.

***Refer to the each state's checklist for additional state specific requirements (i.e. # of additional copies required, other state specific forms, etc.)

FORM FILING SCHEDULE

(This form must be provided ONLY when making a filing that includes forms)
(Do <u>not</u> refer to the body of the filing for the forms listing, unless allowed by state.)

1.	. This filing transmittal is part of Company Tracking # 2008-02-0114						
2.	This filing corresponds to rate/rule filing number (Company tracking number of rate/rule filing, if applicable) N/A						
3.	Form Name /Description/Synopsis	Form # Include edition date	Replacement or Withdrawn?	give form #	Previous state filing number, if required by state		
01	Fungi Or Bacteria Exclusion – Limited	CG D4 05 02 08	⊠New ☐ Replacemen ☐ Withdrawn	nt			
02	Funeral Directors and Morticians Endorsement	CG T3 53 09 07	☐ New ☐ Replacemen ☐ Withdrawn		NJ Department File Number 01-1348		
03			☐ New ☐ Replacemen ☐ Withdrawn	nt			
04			☐ New ☐ Replacemen ☐ Withdrawn	nt			
05			☐ New ☐ Replacemen ☐ Withdrawn	nt			
06			☐ New ☐ Replacemen ☐ Withdrawn	nt			
07			☐ New ☐ Replacemen ☐ Withdrawn	nt			
08			☐ New ☐ Replacemen ☐ Withdrawn	nt			
09			☐ New ☐ Replacemen ☐ Withdrawn	nt			
10			New Replacemen Withdrawn	nt			